

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of:

Shunsuke YAMANAKA et al.

Application No.: 10/593,590

Confirmation No.: 2769

Filed: September 21, 2006

Art Unit: 1794

For: OPTICAL LAMINATE, OPTICAL
ELEMENT AND LIQUID CRYSTAL
DISPLAY DEVICE

Examiner: S. HON

**COMMENTS ON EXAMINER'S STATEMENT
OF REASONS FOR ALLOWANCE UNDER 37 CFR §1.104(E)**

MS ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant has received the Examiner's Statement of Reasons for Allowance with the February 18, 2011 Notice of Allowance and Allowability regarding the above-identified application. Entry of the Statement into the record should not be construed as any agreement with or acquiescence in the reasoning stated by the Examiner. Each of the claims stands on its own merits and is patentable because of the combination it recites and not because of the presence or absence of any one particular element.

Regarding claims 25 and 26, the Examiner states:

In Applicant's specification, Applicant demonstrates that when the formed unstretched laminate is *co-stretched*, the resin of layer B comprising transparent resin having substantially no orientation, **cannot have a Tg(B) that is higher than the Tg(A) of the resin of layer A** comprising resin having a negative intrinsic birefringence, to form an optical laminate that satisfies the combination of the relation (Re(A) | >

Re(B) for Re(A) and Re(B) measured with light having a wavelength of 400 to 700 nm, and the relations $Enx < Eny$ and $Enx < Enz$ for Enx , Eny and Enz measured with light having a wavelength of 550 nm ... (Emphasis added).

It is noted that neither claim 25 nor claim 26 mentions Tg(B).

The Examiner's Statement was not prepared by Applicant and only contains the Examiner's possible positions in one or more reasons for allowability. Thus, any interpretation with respect to the Examiner's Statement of Reasons for Allowance should not be imputed to the Applicant.

Interview

Applicants note with appreciation that the Examiner conducted an Interview with Applicants' representative, Garth M. Dahlen, Ph.D. on March 11, 2011. Examiner Hon submitted a Supplemental Examiner's Amendment. Applicant's representative states the comments made therein were true and accurate.


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Garth M. Dahlen, PhD, Registration No. 43,575 at the telephone number of the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

Dated:

5/13/2011

Respectfully submitted,

By 

Garth M. Dahlen, PhD
Registration No.: 43575
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, VA 22040-0747
703-205-8000